

**Stephen P. McCarthy**, OSB No. 894152

mccarthys@lanepowell.com

**Pilar C. French**, OSB No. 962880

frenchp@lanepowell.com

**LANE POWELL PC**

601 SW Second Avenue, Suite 2100

Portland, Oregon 97204-3158

Telephone: 503.778.2100

Facsimile: 503.778.2200

Attorneys for Defendants Bank of America, NA, and  
Mortgage Electronic Registration Systems, Inc.

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
MEDFORD DIVISION

**IVAN HOOKER and KATHERINE  
HOOKER,**

Case No. 10-CV-3111-PA

Plaintiffs,

SECOND SUPPLEMENTAL  
DECLARATION OF STEPHEN P.  
MCCARTHY

v.

**NORTHWEST TRUSTEE SERVICES,  
INC.; BANK OF AMERICA, NA;  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.,**

Defendants.

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I, Stephen P. McCarthy, declare and state:

1. I am a member of Lane Powell PC, attorneys of record for defendants Bank of America and Mortgage Electronic Registration Systems, Inc. ("Defendants"). I am knowledgeable about facts set forth herein and make this declaration in support of Defendants' Supplemental Memorandum Regarding the Question Posed By The Court.

PAGE 1 - SECOND SUPPLEMENTAL DECLARATION OF STEPHEN P. MCCARTHY

2. Attached as Exhibit 1 is a copy of Chapter 625 of the Oregon Laws 1959, which was enacted into law in 1959. Chapter 625 is the first Oregon statutory scheme allowing trust deeds and non-judicial foreclosure by advertisement and sale.

3. Attached as Exhibit 2 is a copy of Chapter 616 of the Oregon Laws 1961, which was enacted into law in 1961. Chapter 616 modifies the statute governing trust deeds enacted in 1959.

4. Attached is Exhibit 3 is a copy of Chapter 457 of the Oregon Laws 1965, which was enacted into law in 1965. Chapter 457 modifies the statute governing trust deeds.

5. Attached is Exhibit 4 is a copy of Chapter 719 of the Oregon Laws 1983, which was enacted into law in 1983. Chapter 719 modifies the statute governing trust deeds.

6. Attached is Exhibit 5 is a copy of Chapter 817 of the Oregon Laws 1985, which was enacted into law in 1985. Chapter 817 modifies the statute governing trust deeds.

7. Attached is Exhibit 6 is a copy of Chapter 190 of the Oregon Laws 1989, which was enacted into law in 1989. Chapter 190 modifies the statute governing trust deeds.

8. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED: February 14, 2011

/s/ Stephen P. McCarthy  
Stephen P. McCarthy